

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ELIA LEON, individually and as personal representative of the estate of MARTIN LEON, deceased,

Plaintiff,

vs.

No. CIV 13-1005 JB/SCY

FEDEX GROUND PACKAGE SYSTEM, INC.,

Defendant.

ORDER¹

THIS MATTER comes before the Court on FedEx Ground Package System, Inc.'s Objections to Plaintiff's Cross Designations of Steven Shutiva and Lyle Sarracino's Deposition for Trial, filed February 18, 2016 (Doc. 178). The Court held a hearing on February 19, 2016. Defendant FedEx Ground Package System, Inc. objects to Plaintiff Elia Leon's designations of Steven Shutiva's and Lyle Sarracino's deposition testimony as trial testimony. The Court rules on FedEx Ground's objections as follows:

<u>Shutiva</u>	
<u>Designation</u>	<u>Ruling</u>
20:10-25	Overruled: 20:10-25
26:21-27:1	Overruled in part and sustained in part: 26:21-24: delete the word "insurance"; the rest is admissible

¹This Order disposes of FedEx Ground Package System, Inc.'s Objections to Plaintiff's Cross Designations of Steven Shutiva and Lyle Sarracino's Deposition for Trial, filed February 18, 2016 (Doc. 178). The Court may, however, at a later date issue a Memorandum Opinion more fully detailing its rationale for this decision.

	Overruled: 26:25-27:1
28:1-11	Overruled: 28:1-11
29:6-16	Overruled in part and sustained in part: 29:6-16: delete the word "insurance" in line 15 and the word "or" in line 15
50:25-51:13	Overruled: 50:25-51:7 Sustained: 51:8-13
54:19-56:22	Sustained: 54:19-56:22
<u>Sarracino</u>	
<u>Designation</u>	<u>Ruling</u>
34:10-20	Overruled: 34:10-20
38:11-14	Overruled: 38:11-14
46:24-47:3	Overruled: 46:24-47:3

IT IS ORDERED that FedEx Ground Package System, Inc.'s Objections to Plaintiff's Cross Designations of Steven Shutiva and Lyle Sarracino's Deposition for Trial, filed February 18, 2016 (Doc. 178), are sustained in part and overruled in part as stated herein.



James O. B. Young

UNITED STATES DISTRICT JUDGE

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